
SENATE BILL 5430

State of Washington

55th Legislature

1997 Regular Session

By Senators West, Benton, Haugen, McCaslin, Heavey, Morton, Hale, Oke and Goings

Read first time 01/27/97. Referred to Committee on Transportation.

1 AN ACT Relating to the authority of a public transportation benefit
2 area to contract with cities and counties for the construction,
3 maintenance, or repair of roads, streets, or sidewalks utilized by the
4 public transportation benefit area; and amending RCW 36.57A.090.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 36.57A.090 and 1981 c 25 s 4 are each amended to read
7 as follows:

8 A public transportation benefit area authority shall have the
9 following powers in addition to the general powers granted by this
10 chapter:

11 (1) To prepare, adopt, and carry out a general comprehensive plan
12 for public transportation service which will best serve the residents
13 of the public transportation benefit area and to amend said plan from
14 time to time to meet changed conditions and requirements.

15 (2) To acquire by purchase, condemnation, gift, or grant and to
16 lease, construct, add to, improve, replace, repair, maintain, operate,
17 and regulate the use of transportation facilities and properties within
18 or without the public transportation benefit area or the state,
19 including systems of surface, underground, or overhead railways,

1 tramways, buses, or any other means of local transportation except
2 taxis, and including escalators, moving sidewalks, or other people-
3 moving systems, passenger terminal and parking facilities and
4 properties, and such other facilities and properties as may be
5 necessary for passenger and vehicular access to and from such people-
6 moving systems, terminal and parking facilities and properties,
7 together with all lands, rights of way, property, equipment, and
8 accessories necessary for such systems and facilities. Public
9 transportation facilities and properties which are owned by any city
10 may be acquired or used by the public transportation benefit area
11 authority only with the consent of the city council of the city owning
12 such facilities. Cities are hereby authorized to convey or lease such
13 facilities to a public transportation benefit area authority or to
14 contract for their joint use on such terms as may be fixed by agreement
15 between the city council of such city and the public transportation
16 benefit area authority, without submitting the matter to the voters of
17 such city.

18 The facilities and properties of a public transportation benefit
19 area system whose vehicles will operate primarily within the rights of
20 way of public streets, roads, or highways, may be acquired, developed,
21 and operated without the corridor and design hearings which are
22 required by RCW 35.58.273, as now or hereafter amended, for mass
23 transit facilities operating on a separate right of way.

24 (3) To fix rates, tolls, fares, and charges for the use of such
25 facilities and to establish various routes and classes of service.
26 Fares or charges may be adjusted or eliminated for any distinguishable
27 class of users including, but not limited to, senior citizens,
28 handicapped persons, and students.

29 (4) To contract with cities or counties, whose roads, streets, and
30 related properties are used and affected by the public transportation
31 benefit area authority for road, street, and sidewalk engineering,
32 construction, maintenance, and repair costs.

33 In the event any person holding a certificate of public convenience
34 and necessity from the Washington utilities and transportation
35 commission under RCW 81.68.040 has operated under such certificate for
36 a continuous period of one year prior to the date of certification and
37 is offering service within the public transportation benefit area on
38 the date of the certification by the county canvassing board that a
39 majority of votes cast authorize a tax to be levied and collected by

1 the public transportation benefit area authority, such authority may by
2 purchase or condemnation acquire at the fair market value, from the
3 person holding the existing certificate for providing the services,
4 that portion of the operating authority and equipment representing the
5 services within the area of public operation. The person holding such
6 existing certificate may require the public transportation benefit area
7 authority to initiate such purchase of those assets of such person,
8 existing as of the date of the county canvassing board certification,
9 within sixty days after the date of such certification.

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